

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Simon James JOYCE et al.

Application No.: NOT ASSIGNED

Group Art Unit: NOT ASSIGNED

Filed: October 15, 2003

Examiner: NOT ASSIGNED

For: **ENHANCED COMMUNICATION PLATFORM AND RELATED COMMUNICATION  
METHOD USING THE PLATFORM**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☐ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (as indicated) attached to each non-English language publication.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☒ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

*(Check either Item 2a or 2b or 2c or 2d)*

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☒ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND
- (Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*
- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Deposit Account No. 19-3935.
4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND
- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
- 4b. ☐ The \$180.00 fee set forth in 37 C.F.R. § 1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Deposit Account No. 19-3935.
5. ☐ Statement under § 1.97(e) (*applicable if Item 3a or Item 4a is checked*)
- (Check either Item 5a or 5b)*
- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

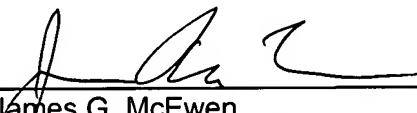
6. ☒ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).  
(Check appropriate Items 6a and/or 6b)
- 6a. ☒ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. 10/114,047, filed on April 3, 2002, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
- 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. \_\_\_, filed on \_\_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.
7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.  
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.  
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on \_\_\_. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on \_\_\_.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed \_\_\_.
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:  
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☒ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.) (Copies of which are included in the parent applications)
- 9b. ☐ set forth in the application.

- 9c. ☒ satisfied because an English language translation (as indicated) is attached to each non-English language publication (Copies of which are included in the parent applications).
- 9d. ☒ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).
11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: Oct. 15, 2003  
1201 New York Ave., N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

By:   
James G. McEwen  
Registration No. 41,983

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1444.1001C3	APPLICATION NO.
<b>FIRST SHEET DELETE</b> <b>LIST OF REFERENCES CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>		FIRST NAMED INVENTOR Simon James JOYCE, et al.	
		FILING DATE October 15, 2003	GROUP ART UNIT

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	4,087,630	05/02/78	Browning et al.			05/12/77
	AB	4,439,636	03/1984	Newkirk et al.			03/1982
	AC	4,807,275	02/21/89	Enstrom			07/08/88
	AD	4,825,130	04/25/89	Enstrom			04/14/87
	AE	4,975,942	12/04/90	Zebryk			07/21/89
	AF	5,086,457	02/04/92	Barraud et al.			01/15/91
	AG	5,265,033	11/1993	Vajk et al.			09/1991
	AH	5,276,444	01/04/94	McNair			09/23/91
	AI	5,301,223	04/05/94	Amadon et al.			08/25/92
	AJ	5,317,628	05/31/94	Misholi et al.			12/02/92
	AK	5,321,735	06/14/94	Breeden et al.			06/29/92
	AL	5,349,636	09/20/94	Iribarren			08/02/93
	AM	5,353,335	10/04/94	D'Urso, et al.			08/03/92
	AN	5,359,642	10/25/94	Castro			02/26/93
	AO	5,440,621	08/08/95	Peter D. Castro			11/22/93

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AP	0921487A2	06/1999	EUROPE			
	AQ	EP 0 698 987	02/28/96	EUROPE			
	AR	WO 00/32004	06/02/00	WIPO			
	AS	WO 00/58948	10/05/00	WIPO			

EXAMINER	DATE CONSIDERED
<b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
1444.1001C3

APPLICATION NO.

# LIST OF REFERENCES CITED BY APPLICANT

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(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AT	5,511,114	04/1996	Stimson et al.			06/1994
	AU	5,557,516	09/17/96	Hogan			02/04/94
	AV	5,557,539	09/17/96	Fitch			06/13/94
	AW	5,572,005	11/1996	Hamilton et al.			01/1995
	AX	5,577,100	11/19/96	McGregor et al.			01/30/95
	AY	5,577,109	11/1996	Stimson et al.			03/1995
	AZ	5,586,173	12/17/96	Misholi et al.			05/12/94
	BA	5,590,181	12/31/96	Hogan et al.			10/15/93
	BB	5,608,778	03/04/97	Partridge, III			09/22/94
	BC	5,615,251	03/25/97	Hogan et al.			06/07/95
	BD	5,621,787	04/15/97	McKoy, et al.			09/13/95
	BE	5,633,909	05/27/97	Fitch			03/28/95
	BF	5,633,919	05/27/97	Hogan et al.			06/06/95
	BG	5,634,084	05/27/97	Malsheen et al.			01/20/95
	BH	5,661,781	08/1997	DeJager			05/1995
	BI	5,668,855	09/16/97	Misholi et al.			04/16/96
	BJ	5,677,955	10/14/97	Doggett et al.			04/07/95
	BK	5,692,037	11/25/97	Friend			03/31/95

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	BL	WO 01/03090	01/11/01	WIPO			
	BM	WO 96/15616	05/23/96	WIPO			
	BN	WO 97/22191	06/19/97	WIPO			

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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	BO	5,692,132	11/25/97	Hogan			06/07/95
	BP	5,699,528	12/16/97	Hogan			10/31/95
	BQ	5,712,908	01/27/98	Brinkman et al.			05/17/96
	BR	5,717,604	02/10/98	Wiggins			05/25/95
	BS	5,721,768	02/1998	Stimson et al.			11/1996
	BT	5,722,067	02/24/98	Fougnyes, et al.			12/23/94
	BU	5,737,395	04/07/98	Irribarren			04/22/96
	BV	5,749,075	05/05/98	Toader, et al.			12/28/95
	BW	5,778,313	07/07/98	Fougnyes			12/08/95
	BX	5,784,442	07/21/98	Foti			02/02/96
	BY	5,787,403	07/28/98	Randle			03/08/95
	BZ	5,828,740	10/1998	Khuc et al.			11/1996
	CA	5,841,966	11/24/98	Irribarren			04/04/96
	CB	5,852,812	12/22/98	Reeder			08/23/95
	CC	5,854,975	12/29/98	Fougnyes, et al.			11/15/95
	CD	5,867,566	02/02/99	Hogan et al.			08/27/96
	CE	5,870,473	02/09/99	Boesch et al.			12/14/95
	CF	5,878,215	03/02/99	Kling et al.			05/23/94
	CG	5,893,076	04/06/99	Hafner et al.			01/16/96
	CH	5,897,621	04/27/99	Boesch et al.			06/14/96

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES	NO
	CI	WO 97/48078	12/18/97	WIPO				
	CJ	WO 98/18251	04/30/98	WIPO				

EXAMINER

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*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	CK	5,899,982	05/04/99	Randle			06/25/98
	CL	5,909,483	06/01/99	Weare et al.			09/09/96
	CM	5,909,486	06/1999	Walker et al.			03/1997
	CN	5,915,007	06/1999	Klapka			04/1998
	CO	5,915,226	06/1999	Martineau			04/1996
	CP	5,919,266	07/06/99	Sud et al.			04/02/93
	CQ	5,923,734	07/1999	Taskett			11/1997
	CR	5,956,391	09/21/99	Melen et al.			02/10/97
	CS	5,960,069	09/28/99	Felger			11/27/96
	CT	5,960,416	09/28/99	Block			12/09/97
	CU	5,966,429	10/12/99	Scherer			10/13/98
	CV	5,974,146	10/26/99	Randle et al.			07/30/97
	CW	5,978,775	11/02/99	Chen			01/16/97
	CX	6,006,257	12/21/99	Slezak			09/27/96
	CY	6,014,636	01/11/00	Reeder			05/06/97
	CZ	6,023,499	02/08/00	Mansey et al.			11/26/97
	DA	6,036,086	03/14/00	Sizer, II et al.			03/28/97
	DB	6,047,267	04/04/00	Owens et al.			05/14/97

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	DC	WO 98/21874	05/22/98	WIPO				
	DD	WO 98/52131	11/19/98	WIPO				
EXAMINER					DATE CONSIDERED			
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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	DE	6,047,284	04/04/00	Owens et al.			05/14/97
	DF	6,058,173	05/02/00	Penfield et al.			02/19/98
	DG	6,070,185	05/30/00	Anupam et al.			05/02/97
	DH	6,091,944	07/18/00	Friend			10/10/97
	DI	6,092,053	07/18/00	Boesch et al.			10/07/98
	DJ	6,092,055	07/18/00	Owens et al.			05/14/97
	DK	6,097,939	08/01/00	Jacobs			07/11/97
	DL	6,104,704	08/15/00	Buhler et al.			03/20/97
	DM	6,115,714	09/05/00	Gallagher et al.			03/20/98
	DN	6,119,109	09/12/00	Muratani et al.			09/24/97
	DO	6,122,632	09/19/00	Botts et al.			07/21/97
	DP	6,137,870	10/24/00	Scherer			03/06/96
	DQ	6,157,823	12/05/00	Fougnes, et al.			01/20/98
	DR	6,173,174	01/09/01	Jacobs			11/23/99
	DS	6,185,198	02/06/01	LaDue			04/27/99
	DT	6,185,414	02/06/01	Brunner et al.			07/24/98
	DU	6,188,751	02/13/01	Scherer			10/28/98
	DV	6,205,207	03/20/01	Scherer			06/01/99
	DW	6,205,433	03/20/01	Boesch et al.			12/17/98
	DX	6,208,719	03/27/01	Lo et al.			06/09/98
	DY	6,236,851	05/22/01	Fougnes, et al.			07/17/98
	DZ	6,246,755	6/2001	Walker, et al.			09/14/99

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	EA						

EXAMINER	DATE CONSIDERED
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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	EB	6,081,791	6/2000	Clark			
	EC						
	ED						
	EE						
	EF						
	EG						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	EH	JP 05-28457	10/29/1993	Japan			JPO Provided	
	EI	JP 61-210754	9/18/1986	Japan				xx
	EJ	GB 2 171 877 A	9/3/1986	Great Britain				
	EK							
	EL							
	EM							

**OTHER REFERENCES** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	EN	
	EO	

EXAMINER	DATE CONSIDERED
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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	EP						
	EQ						
	ER						
	ES						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	<u>TRANSLATION</u> YES NO	
	ET	07-15564	01/1995	Japan			Abstract only	
	EU	61-245664	10/1986	Japan			Abstract only	
	EV	02-241171	09/1990	Japan			Abstract only	
	EW	09-214640	08/1997	Japan			Abstract only	
	EX	60-174547	09/1985	Japan			Abstract only	
	EY							

**OTHER REFERENCES** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	EZ	
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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	FB	6,061,664	5/2000	Pieterse et al.			
	FC						
	FD						
	FE						
	FF						
	FG						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	FH	0220734	5/2002	Hungary				XX
	FI	WO9741530	11/1997	PCT				
	FJ	WO9714124	4/1997	PCT				
	FK	WO9634483	10/1996	PCT				
	FL							
	FM							

**OTHER REFERENCES** (Including Author, Title, Date, Pertinent Pages, Etc.)

	FN	
	FO	

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

**ATTACHMENT 1(e)**

<b>EXPLANATIONS OF RELEVANCY OF REFERENCES</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1444.1001C3	
	FIRST NAMED INVENTOR	
	Simon James JOYCE, et al	
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1) GB 2171877 A corresponds to JP 61-210754.

2) U.S. Patent No. 6,061,664 and PCT Publication Nos. WO9741530, WO9714124, and WO9634483 correspond to Hungarian Patent Publication No. 0220734 listed in the enclosed Hungarian Search report.

3) Hungarian Patent Publication No. 0220734 is listed as an "A" reference, which has the same meaning as in the International Search Reports according to PCT procedures. As such, Hungarian Patent Publication No. 0220734 was provided as a document defining the general state of the art which is not considered to be of particular relevance.

**ATTACHMENT 1(f)**

<b>LIST OF COPENDING APPLICATIONS</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1444.1001C3	
	FIRST NAMED INVENTOR	
	Simon James JOYCE, et al.	
	FILING DATE	GROUP ART UNIT
	October 15, 2003	

The following, prior-filed, copending U.S. patent application(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of the identified copending application(s) is provided.

It is requested that the Examiner acknowledge his consideration of application(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

**This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.**

**U.S. PATENT APPLICATION DOCUMENTS**

*EXAMINER INITIAL		U.S. SERIAL NO.	FILING DATE	NAME	ASSIGNEE
	1	09/851,382 (Now U.S. Patent No. 6,381,316)	05/09/01	Simon James JOYCE, et al.	Upaid Systems, Ltd.
	2	09/894,890	06/29/01	Simon James JOYCE, et al.	Upaid Systems, Ltd.
	3	10/096,912	03/14/02	Simon James JOYCE, et al.	Upaid Systems, Ltd.
	4	09/395,868 (Now U.S. patent no. 6,320,947)	09/14/99	Simon James JOYCE, et al.	Upaid Systems, Ltd.
	5	10/114,047	04/03/2002	Simon James JOYCE, et al.	Upaid Systems, Ltd.
	6				

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

**ATTACHMENT 1(g)**

<b>LIST OF ADDITIONAL SUBMITTED DOCUMENTS</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1444.1001C3	
	FIRST NAMED INVENTOR	
	Simon James JOYCE, et al	
	FILING DATE	GROUP ART UNIT
	October 15, 2003	

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of any identified copending application(s) is provided.

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**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO	
	FP	1107198 A2	6/2001	EPO				
	FQ	1107198 A3	7/2002	EPO				
	FR	01/43390 A2	6/2001	PCT				
	FS	01/43390 A3	6/2001	PCT				
	FT	19938201 A1	2/2001	Germany			Abstract only	
	FU	01/11857 A1	2/2001	PCT				
	FV	00/56085	9/2000	PCT				

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

							TRANSLATION YES NO	
	FW							

EXAMINER	DATE CONSIDERED
<p><b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	